

REMARKS

The above-noted amendments are respectfully submitted in response to the Official Action of February 4, 2005. Initially, Applicant gratefully acknowledges the allowance of claims 26-44, as well as the Examiner's indication of allowability for claims 3, 4, 8-10, 14-20 and 25. With respect to the above amendments, it is first noted that amended claim 1 is intended to substantially correspond to prior claim 3. Furthermore, new claim 51 is intended to substantially correspond to prior claim 14, new claim 57 is intended to substantially correspond to prior claim 20 and new claim 58 is intended to substantially correspond to prior claim 25. Thus, it would appear to be clear that at least new claims 51-58 are also in condition for allowance, i.e., along with claims 1 and 4-44.

Attention is also directed to new claim 45 and the claims dependent thereon (claims 46-50). Claim 45 represents an amendment to prior claim 1 which specifically requires a plurality of fastening members in addition to the plurality of substantially T-shaped plates, as well as requiring that the substantially T-shaped plates cannot be removed from the flexible belt without first removing the fastening members themselves. This amendment is clearly supported by the present disclosure, (such as for example at page 4, paragraph 18, lns. 1-18) and no new matter is included therein. It is believed that this amendment overcomes the objections to prior claim 1, thus placing all the claims in this application in condition for allowance. For that reason alone, reconsideration and entry of these amendments is respectfully requested, and good cause as believed to have been shown therefore.

Claims 1-7 and 21-23 have been rejected as being anticipated by *Gelzer*. The Examiner has repeated his prior position with respect to *Gelzer*, referring to the allegedly

substantially T-shaped plates 25, including substantially vertical portion 26, which is said to be "fastened" to the belt by a press fit created by rails 13 and 14. In response to Applicant's prior arguments, the Examiner first states that the claims do not require "T-shaped fixtures" but "T-shaped plates". While the meaning of these differences are admittedly minor, the Examiner notes that the previous Official Action referred to the plate assemblies 25 and 26 as forming the T-shaped plates and the entire work supporting fixture 10. Secondly, the vertical portion 26 of the T-shaped plates are said not to be in sliding contact with the outer surface of the belt 12 because the members are intermeshed with the belt, as can be seen in Fig. 5. The Examiner contends, however, that the intermeshing caused by rails 13 and 14 may be viewed in a way that the vertical portion is "fastened" to the belt, with that word being given its broadest interpretation. The Examiner thus states that the claims do not require a fastener but only require that the verticals portion be fastened to the belt in some unspecified way. Furthermore, admitting that the T-shaped plates of Gelzer are removable, this is said not to mean that are not in some sense fastened to the belt. Many articles in the conveyor field are said to be removably fastened to the conveyor belt so that they may serve different functions. This rejection is respectfully traversed in view of the above amendments and arguments and the reasons set forth hereinafter.

It is, of course, initially noted that in response to the Examiner's position, Applicant's new claims 45 *et seq.* now specifically require fasteners and in addition requires that the fasteners are used to actually fasten the substantially T-shaped plates to the belt. This is precisely what is not shown in Gelzer, and is thus believed to more than adequately answer all the Examiner's contentions with respect to that reference.

As Applicants have previously pointed out, the fixtures 10 shown in *Gelzer* can be readily inserted and removed from the guide way 11 by vertical displacement. These fixtures are thus slidably removable from the surface of guide track 14, and in any event there is certainly no disclosure therein of Applicants' fastening means for fastening these fixtures to the belt itself, particularly in which these fixtures could not be removed without the removal of such fastening members. It is thus believed clear at this point that *Gelzer* utterly fails to suggest every feature of these new claims.

Claims 1, 2 5-7, 11-13 and 21-24 have been rejected as being unpatentable over *Gelzer* in view of *Patin*. The Examiner has once again repeated his prior contentions with respect to this combination of references. In response to Applicant's prior arguments, the Examiner disagrees and states that while the fasteners 15 of *Patin* are used to attach plates or blocks 11 that are T-shaped to a belt, the general teaching of using an insert fastener 15 or bolt 16 to attach a rigid body to a belt was said to be applicable to the T-shaped plate of *Gelzer* without undue experimentation. It is further stated that using an inserted fastener or bolt 16 to attach the T-shaped plates of *Gelzer* to the belt would not destroy the intended function of *Gelzer* to provide a system in which the fixtures 10 are vertically removable from the guide track. The fasteners 15, and more clearly, the bolts 14, are said to be removed in order to allow the plates to be lifted from the guide track. This rejection is respectfully traversed in view of the above amendments and arguments and for the reasons set forth hereinafter.

Applicants repeat their prior contentions that there is absolutely no teaching of the belt assembly of the present invention, including the T-shaped plates and fastening members of claims 45 et seq., in *Patin*. In any event, in view of the

above-noted amendments to claim 1 as embodied in new claim 45 it is believed that this rejection has clearly been obviated and further detailed discussion of same is unwarranted at this time.

It is therefore respectfully submitted that all the claims in this application now possess the requisite novelty, utility and unobviousness to warrant their immediate allowance, which action is therefore respectfully solicited.

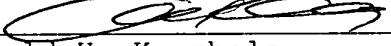
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 22, 2005

Respectfully submitted,

By 
Arnold H. Krumholz
Registration No.: 25,428
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant